

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2167

Introduced by Assembly Member Achadjian

February 17, 2016

An act to amend Section ~~90 of the Streets and Highways Code, relating to transportation~~; 22513.1 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2167, as amended, Achadjian. ~~State highways. Vehicles: towed vehicles.~~

Existing law requires a business taking possession of a vehicle from a tow truck to document specified information, including the make, model, and license plate or Vehicle Identification number of the vehicle. Existing law requires a business taking possession of a vehicle to obtain the specified information from the towing company the next day if the vehicle was dropped off after hours. Existing law requires the information to be maintained for 3 years and to be made available for inspection and copying within 48 hours of a written request by any officer or agency of a police department, sheriff's department, the Department of the California Highway Patrol, the Attorney General's, the Bureau of Automotive Repair, a district attorney's office, or a city attorney's office. A willful violation of these requirements is a misdemeanor, as specified.

This bill would instead require a business to obtain the specified information described above from the towing company on the next business day if a vehicle was dropped off after hours.

~~Existing law establishes the Department of Transportation and the California Transportation Commission and provides that the department has full possession and control of all state highways and all property and rights in property acquired for state highway purposes and authorizes and directs the department to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 22513.1 of the Vehicle Code is amended*
2 *to read:*

3 22513.1. (a) A business taking possession of a vehicle from
4 a tow truck shall document the name, address, and telephone
5 number of the towing company, the name and driver's license
6 number of the tow truck operator, the make, model, and license
7 plate or Vehicle Identification Number, and the date and time that
8 possession was taken of the vehicle. If the vehicle was dropped
9 off after hours, the business shall obtain the information from the
10 towing company *on the next business day.*

11 (b) The information required in this section shall be maintained
12 for three years and shall be available for inspection and copying
13 within 48 hours of a written request by any officer or agent of a
14 police department, sheriff's department, the Department of the
15 California Highway Patrol, the Attorney General's office, the
16 Bureau of Automotive Repair, a district attorney's office, or a city
17 attorney's office.

18 (c) A person who willfully violates this section is guilty of a
19 misdemeanor, and is punishable by a fine of not more than two
20 thousand five hundred dollars (\$2,500), or by imprisonment in a
21 county jail for not more than three months, or by both that fine
22 and imprisonment.

23 ~~SECTION 1. Section 90 of the Streets and Highways Code is~~
24 ~~amended to read:~~

25 ~~90. The Department of Transportation shall have full possession~~
26 ~~and control of all state highways and all property and rights in~~

1 ~~property acquired for state highway purposes. The department is~~
2 ~~authorized and directed to lay out and construct all state highways~~
3 ~~between the termini designated by law and on the locations as~~
4 ~~determined by the California Transportation Commission.~~

O